

Thos. C. Smith, Notary Public, De Witt county.
Thos. B. Wilson, Notary Public, Collin county.
W. W. Briggs, Notary Public, Cherokee county.
W. B. Bonner, Notary Public, Grimes county.
N. S. Slater, Notary Public, Bastrop county.
W. L. Rigsby, Notary Public, Freestone county.
Chas. Le Sage, Notary Public, Victoria county.
B. P. Patrick, Notary Public, Leon county.
Thos. Arenburn, Notary Public, Leon county.
William R. Ellis, Notary Public, Leon county.
John Durst, Notary Public, Leon county.
Pruno Durst, Notary Public, Leon county.
J. Schmeidler, Notary Public, Robertson county.
Carl Schuetze, Notary Public, Washington county.
Joseph E. Pace, Notary Public, Fannin county.
Joseph C. Bartlett, Notary Public, Navarro county.
John R. Graham, Notary Public, Lamar county.
Thos. D. Kennedy, Notary Public, Fannin county.
T. James, Notary Public, Smith county.
Harrison Owen, Notary Public, Robertson county.
James Bentley, Notary Public, Dallas county.
J. L. Cheek, Notary Public, Ellis county.

Very respectfully,

EDMUND J. DAVIS, Governor.

On motion of Senator Swift, the Senate went into executive session to consider the message.

The executive session rose.

In the Senate.

On motion of Senator Dillard, Senator Henry was granted leave of absence for ten days.

On motion of Senator Franks, the Senate adjourned to 9:30 o'clock A. M. to-morrow, by the following vote:

Yeas—Senators Avinger, Ball, Dillard, Dohoney, Evans, Ford, Finlay, Franks, Gaines Hall, Latimer, Swift, Word and Mr. President—14.

Nays—Senators Fountain, Rawson, Randle, Ruby, Saylor, Sayers, Shelley, Tendick and Tracy—9.

SENATE CHAMBER,
AUSTIN, TEXAS, March 22, 1873. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Shelley, the reading of the journal of yesterday was dispensed with.

Senator Sayers, chairman of the Committee on Public Lands, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Public Lands, to whom was referred Senate bill No. 31, to be entitled "An act to give effect to the provisions of the Constitution in relation to the settlement of homesteads by pre-emptions, and to open to settlement the State sections of the Memphis and El Paso Railroad," have carefully examined the same, and recommend its passage with the following amendment, to-wit: At the end of section one insert, "*provided*, that the provisions of this act shall not apply to any lands situate in any county east of Parker county."

J. D. SAYERS, Chairman.

Senator Word, chairman *pro tem.* of Judiciary Committee No. 1, submitted the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 181, to be entitled "An act regulating contested elections," having carefully considered the same, instruct me to report back the accompanying bill as a substitute therefor and recommend its passage.

T. J. WORD, Chairman *pro tem.*

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred Senate bill No. 192, "An act to repeal an act entitled an act to authorize clerks of the district courts and justices of the peace to issue executions after the adjournment of each term of their respective courts, against the plaintiff or defendant, for costs created by them in any suit therein, approved April 12, 1871," having carefully considered the same, ask leave to report it back to the Senate and recommend that it do not pass.

Section thirty-eight, article three, of the State Constitution, requires the first Legislature to enact a law similar in nature to this, and your committee suggest that it would be an infraction of that instrument to repeal this act, though it may be either amended or substituted.

T. J. WORD, Chairman *pro tem.*

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred Senate bill No. 170, entitled "An act to in-

corporate the El Paso Real Estate, Trust and Immigration Company," having carefully examined the same, instruct me to report it back and recommend its passage.*

T. J. WORD, Chairman *pro tem*.

Senator Latimer, chairman of the Committee on Roads, Bridges and Ferries, submitted the following report: *
Hon. E. B. Pickett, President of the Senate:

SIR: Your committee to whom was referred House bill No. 203, "An act to establish a ferry across the Trinity river at Prewitt's old mill," have carefully examined the same, and request me to report it back and recommend its passage.

H. R. LATIMER, Chairman.

Senator Shelley, chairman of the joint committee of conference on the part of the Senate, submitted the following report, which was taken up and adopted:

Hon. E. B. Pickett, President of the Senate, and Hon. M. D. K. Taylor, Speaker of the House of Representatives:

SIRS: The joint committee of conference on the disagreement of the two houses on the bill to be entitled "An act regulating elections," have carefully considered the points of difference, with a sincere desire to remove every obstacle to the enactment of a law so generally demanded by the people of the State, and have unanimously agreed to the following propositions, and recommend their adoption, to-wit:

First, that the House shall agree to the following amendments to the House bill adopted by the Senate:

1. In line two, section four, strike out "ten" and insert "twenty."

2. In line eight, section five, strike out the word "vacancy" and insert the words "unexpired term made vacant."

3. After the word "vacancy," in line two, section seven, insert the words "in his office."

4. After the word "clerks," in line three, section eight, insert a comma.

5. After the word "act," in line three, section nine, insert the words "or in case no manager has been appointed."

6. Strike out the word "exceeding," in line twenty-four, section fifteen, and insert the words "less than fifty nor more than."

7. At the end of section fifteen add, "any presiding officer, judge or clerk of an election, who shall divulge how any person shall have voted at any election, from an inspection of the tickets, unless in a judicial investigation, shall be deemed guilty of a misdemeanor, and on conviction shall be fined in any sum not less than fifty nor more than five hundred dollars."

8. After the word "get," in line five, section seventeen, insert "and shall continue such count, without interruption, until all the ballots voted at such election are counted."

9. At the end of section twenty-four add, "and the Secretary of State shall be required to furnish to presiding judges of election in each voting precinct in this State, a sufficient number of blanks, which shall be in form as follows: I, A. B., do solemnly swear that I am the identical person claimed to be registered, and that I have not voted at any other poll or voting place, and that I have not voted elsewhere at this election; and the judge of election shall be required to furnish each person, who is required to make oath, as herein provided, with one of said blanks, and to administer the oath."

10. After the word "in," in line three, section twenty-six, insert the words "any precinct in."

11. After the word "purposes," in line four, section twenty-six, insert "for any officer for whom he may be entitled to vote."

12. After the word "county," in line eight, section twenty-seven, insert "or by any constable whose special appointment is provided for by this act."

13. Between the words "elections" and "the," in line one, section thirty, insert "where not otherwise provided for the charter of said city or town."

14. Strike out the word "or," in line three, section thirty-one, and insert "shall be deemed guilty of a felony, and on conviction shall be confined in the penitentiary not less than two nor more than five years."

15. After the word "election," line nine, section thirty-one, insert "or any person or persons, who shall, by force or intimidation, obstruct or attempt to obstruct or influence any voter in his free exercise of the elective franchise."

16. In line sixteen, section thirty-one, strike out the

word "fifty" and insert "one hundred," and in the same line strike out the word "one" and insert "five."

17. Amend the second amendment of the engrossed rider of the House by inserting the figure "1" after the figure "2" in the first line of said amendment.

As before stated, the conference committee unanimously recommend that the House shall adopt the foregoing amendments. They also unanimously recommend that the Senate recede from the following amendments of the Senate to the House bill to-wit:

1. Strike out the words in section seventeen, in lines four and five, "of good repute, and also of different politics, if convenient to get."

2. The Senate amendment to section thirty-five.

The committee also unanimously recommend the adoption of the following amendments to the bill, to-wit:

1. Strike out all after the words "guilty of a," in line twenty-five, section thirteen, and insert, "felony, and shall be punished by imprisonment in the penitentiary not less than one nor more than two years."

2. That the following be substituted for section sixteen of the bill: "SEC. 16. That any person, being a registered voter in the county of his residence, and wishing to vote out of the precinct in which he is registered, may do so on delivering to the presiding judge of the election a certificate of the clerk of the district court of the county, with his seal of office impressed thereon, that the applicant is a registered voter of the county, and the applicant making oath, before the presiding judge, that he is the identical person named in the certificate, and that he has not and will not vote elsewhere in that election, for which certificate the district clerk shall be entitled to a fee of twenty-five cents from the receiver thereof; and any person who shall vote on any such certificate not issued to him, by using the certificate issued to another, shall be deemed guilty of a felony, and, on conviction, shall be imprisoned in the penitentiary not less than one nor more than five years."

3. The Senate to recede from its amendment in line four, section eight, striking out the words "so far as practicable" and inserting the words "if demanded," and in lieu thereof, after the word "parties," in said line, insert the words "if demanded, so far as practicable, and

there be present a sufficient number of the party making the demand and willing to serve."

All of which is respectfully submitted.

N. G. SHELLEY,

Chairman on part of Senate.

JOHN HENRY BROWN,

Chairman on part of House.

A message was received from the House informing the Senate that the House had passed Senate bill No. 191, "An act making an appropriation for the *per diem* pay of the members and the *per diem* pay of the officers and employés of the Thirteenth Legislature of the State of Texas."

Senator Dohoney, chairman *pro tem.* of Committee on Internal Improvements, submitted the following report:
Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Internal Improvements, having had under consideration Senate bill No. 200, "An act to amend an act incorporating the Houston and San Jacinto Canal and Navigation Company, approved August 13, 1870," ask leave to report the same back to the Senate, and recommend its passage

E. L. DOHONEY,

Chairman, *pro tem.*;

J. G. TRACY,

W. A. SAYLOR,

H. J. AVINGER,

D. W. COLE.

Senate bill No. 136, "An act to amend Article 766 of the Penal Code," was read third time and passed.

House bill No. 32, "An act to be entitled an act to repeal certain sections of an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties, approved August 13, 1870," was read third time, and on motion of Senator Shelley, the bill was referred to Judiciary Committee No. 2.

On motion of Senator Fountain, the Senate took a recess for five minutes.

Recess expired, Senate met; roll called; quorum present.

On motion of Senator Swift, the Senate went in executive session.

In the Senate.

On motion of Senator Cole, the secretary of the Senate

was instructed to inform his Excellency the Governor that the Senate had advised and consented to his nomination of the following named persons to be notaries public, viz.:

J. C. Brook, Newton county.
D. W. Doom, Jasper county.
Otis McGuffey, Jasper county.
T. J. Carraway, Jasper county.
C. G. Fitz, Polk county.
J. Z. Gooch, Anderson county.
John Kyle, Smith county.
J. F. Witherspoon, Upshur county.
J. P. Pirtle, Upshur county.
W. E. Kneeland, Marion county.
W. H. Johnson, Marion county.
John A. Bagby, Red River county.
J. H. Young, Red River county.
T. C. Bean, Fannin county.
R. B. Simple, Fannin county.
A. G. Stobough, Fannin county.
R. S. Walcott, Fannin county.
C. B. Gardner, Galveston county.
T. C. Biddle, Galveston county.
E. T. Austin, Galveston county.
W. R. Johnson, Galveston county.
E. Simsuler, Harris county.
P. Christian, Harris county.
M. C. Rigs, Harris county.
J. T. Blessing, Harris county.
E. L. Leonheart, Harris county.
J. E. Younge, Montgomery county.
N. C. Read, Washington county.
G. Paule, Washington county.
Geo. Breedlove, Washington county.
R. L. Bassett, Washington county.
J. A. Lipscomb, Washington county.
J. G. Leib, Washington county.
H. T. Downard, Brazos county.
H. S. Newland, Brazos county.
B. T. Middleton, Brazos county.
A. J. Farman, McLennan county.
B. F. Harris, McLennan county.
C. J. Terrell, Limestone county.
Geo. F. Robie, Limestone county.

N. L. Waller, Limestone county.
J. K. Fowler, Limestone county.
J. R. McDonald, Falls county.
Andrew Downing, Bosque county.
J. O. Ottley, Johnson county.
A. S. Read, Parker county.
J. D. Berry, Erath county.
G. A. McCall, Palo Pinto county.
S. M. Jackson, Calhoun county.
W. S. Chichester, Calhoun county.
George W. Rochaw, Calhoun county.
George Dilling, Calhoun county.
J. M. Breckenridge, Jackson county.
A. B. Peticolas, Victoria county.
W. J. Craig, Victoria county.
E. S. Roberts, Victoria county.
Liman Russell, Refugio county.
W. W. Dunlap, Aransas county.
J. H. Lewis, Fayette county.
Henry Miller, Bastrop county.
James Walker, Hays county.
L. W. Collins, Travis county.
C. R. Johns, Jr., Travis county.
J. R. Johnson, Travis county.
Swante Palm, Travis county.
Z. T. Fulmore, Travis county.
D. V. Grant, Williamson county.
John Rowland, Williamson county.
Lem Sawyer, Williamson county.
H. H. Parker, Bell county.
H. J. Chamberlin, Bell county.
J. F. Beach, Bell county.
L. W. Caldwell, Bell county.
W. S. McPeters, San Saba county.
J. W. Thomas, Comanche county.
F. C. Taylor, Concho county.
C. J. Murphy, Cameron county.
F. D. Fuller, Cameron county.
A. J. Bennett, Cameron county.
J. Bradford, Cameron county.
J. W. Ward, Nueces county.
E. Sprague, Nueces county.
Geo. E. Conklin, Nueces county.
H. C. Petterson, Webb county.

W. S. Lampert, Presidio county.
C. Runge, Medina county.
Randolph Kleberg, De Witt county.
W. B. Branch, Nacogdoches county.
James C. Swift, Nacogdoches county.
A. B. Patton, Nacogdoches county.
William Hyde, Nacogdoches county.
D. M. Short, Shelby county.
Wm. Carro, Shelby county.
James Ballard, Shelby county.
Thomas Payne, Shelby county.
Rufus Price, San Augustine county.
Noel Roberts, San Augustine county.
James A. Abner, Angelina county.
Thomas R. Walker, Angelina county.
E. S. Robb, Angelina county.
Wm. Polly, Sabine county.
W. Y. Box, Hopkins county.
John Garrett, Hopkins county.
Wm. McDonald, Hopkins county.
John Ashen, Hopkins county.
James Jernigan, Hunt county.
Samuel Moore, Hunt county.
Wiley Madox, Hunt county.
Henry Wade, Hunt county.
Wesley Pratt, Delta county.
Wm. Davis, Delta county.
George Patterson, Delta county.
W. L. Faulk, Henderson county.
J. Douglass Brown, Trinity county.
C. B. Wood, Trinity county.
J. W. Hamilton, Trinity county.
Y. W. Randolph, Trinity county.
Alexander Journagin, Trinity county.
Wm. Manor, San Augustine county.
John Head, San Augustine county.
Joseph Massey, San Augustine county.
Wm. Weatherweed, Sabine county.
John McElroy, Sabine county.
John Clifton, Sabine county.
J. R. Clute, Nacogdoches county.
W. S. Holdman, Bell county.
Clem R. Waters, Limestone county.
A. H. Latimer, Hopkins county.

Neil Robertson, Fayette county.
T. C. McFarland, Newton county.
Robert Jones, Newton county.
L. H. Williams, Lamar county.
John P. Hill, Titus county.
Alexander Perry, Collin county.
Leonidas Rogan, Caldwell county.
Thomas C. Smith, De Witt county.
B. Wilson, Collin county.
N. S. Slating, Bastrop county.
Charles La Sage, Victoria county.
Joseph E. Pace, Fannin county.
John P. Graham, Lamar county.
Thomas D. Kennedy, Fannin county.
T. G. Jones, Freestone county.
C. H. Prowell, Freestone county.
W. F. Huckaby, Freestone county.
Robert Mays, Freestone county.
W. L. Rigsby, Freestone county.
James Simpson, Delta county.
Benton Davis, Raines county.
Wilson Spratling, Raines county.
William Murphy, Wood county.
John Wilson, Wood county.
Ruben Staplin, Wood county.
Joseph Cooker, Wood county.
George Lamy, Galveston county.

Senator Latimer, chairman of the Committee on Enrolled Bills submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 191, "An act making an appropriation for the per diem pay of the members, and the per diem pay of the officers and employés of the Thirteenth Legislature of the State of Texas," and find the same correctly enrolled.

H. R. LATIMER, Chairman.

On motion of Senator Fountain, Senator Saylor was granted leave of absence for thirty days.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: I have the honor to report that I have this day, at the hour of 1 o'clock P. M., presented to the Governor,

for his signature, Senate bill No. 191, "An act making an appropriation for the *per diem* pay of the members, and the *per diem* pay of the officers and employés of the Thirteenth Legislature of the State of Texas."

H. R. LATIMER, Chairman.

On motion of Senator Dohoney the Senate adjourned to 10 o'clock A. M. next Monday.

SENATE CHAMBER,

AUSTIN, TEXAS, March 24, 1873.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the Rev. Dr. Burleson.

On motion of Senator Avinger, the reading of the journal of Saturday was dispensed with.

On motion of Senator Shelley, the vote adopting the report of the conference committee on House bill No. 233, "An act regulating elections," was reconsidered.

Senator Shelley offered the following amendment to the report: Strike out the words "its passage," in last line of the last section, and insert "the fifteenth day of May, A. D. 1873."

Adopted, and report as amended adopted.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Enrolled Bills have carefully examined and compared the following bills, and find them correctly enrolled, to-wit:

Senate bill No. 198, "An act making an appropriation to defray the expense of distributing blank forms from the Comptroller's office for the assessment of taxes," etc.

Senate joint resolution No. 9, "Ratifying an amendment to section six of article ten of the Constitution of the State of Texas, proposed by joint resolution of the Legislature of the State of Texas, passed May 17, 1871."

H. R. LATIMER, Chairman.

Senator Broughton introduced a bill to be entitled "An act to remove the disabilities of minority from J. Tyler Shannon." Read first time and referred to Judiciary Committee No. 2.

Senator Shelley introduced a bill to be entitled "An act